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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/632,017	08/02/00	BRIMER	J NORTH-3586/A

000542 IM61/1221
NORTHROP GRUMMAN CORPORATION
PATENT DEPARTMENT M/S 90/110/CC
1840 CENTURY PARK EAST
LOS ANGELES CA 90067-2199

EXAMINER

JACKSON, M

ART UNIT

PAPER NUMBER

1773

DATE MAILED:

4
12/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.		Applicant(s)	
	09/632,017		BRIMER ET AL.	
	Examiner		Art Unit	
	Monique R Jackson		1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 10/23/00 has been received. Claims 1-10 have been canceled.

Claims 11-15 are pending in the application.

2. This application lacks the necessary reference to the prior application. A statement reading "This is a divisional of Application No. 09/248,172, filed February 9, 1999." should be entered following the title of the invention or as the first sentence of the specification. Also, the current status of all nonprovisional parent applications referenced should be included.

Specification

3. The disclosure is objected to because of the following informalities:

The specification fails to define the meaning of the terms "high-temperature tolerant" and "temperature resistant" as on page 5, lines 4-10, because it is unclear what resistance is intended to encompass, eg. Resistance to melting, curing/polymerization, decomposition, etc. at elevated temperature. Page 5, line 13-14 cites a particle surface area of about "0.0008 square inch" which is unclear because particle surface area takes into account the entire area of a surface which is expressed as "meters square/gram" or square length/weight or equivalent units. The specification is also unclear because it appears that the "polymer particulate" and "powder adhesive" may be one in the same.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claims 13 and 15 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 13 and 15 recite the limitation "temperature resistant" however the specification does not provide an ample description of this term to enable one skilled in the art to clearly understand what the term encompasses as recited above.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 13 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 13 and 15 recite the limitation "temperature resistant" which renders the claims indefinite for it is unclear what the term "resistant" encompasses.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

9. Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Poppe et al (USPN 3,968,280.) Poppe et al teach an acid impervious metal substrate comprising a steel surface having disposed thereon an acid impervious coating comprising a polyamide particulate

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and a cured powder adhesive wherein the polyamide particulate is inherently "temperature resistant" up to about 700°F and wherein the adhesive is curable at a temperature below about 650°F (Abstract; Col. 2, lines 1-14; Col. 2, line 66 – Col. 3, line 4.)

10. Claims 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Merval et al (USPN 5,387,653.) Merval et al teach an acid impervious metal substrate comprising a steel surface having disposed thereon an acid impervious coating comprising a polyamide particulate and a cured powder adhesive wherein the polyamide particulate is inherently "temperature resistant" up to about 700°F and wherein the adhesive is curable at a temperature below about 650°F (Col. 3, lines 15-21; Col. 4, lines 55-60; Col. 7, lines 1-31.)

11. Claims 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanaka et al (USPN 5,993,975.) Tanaka et al teach an acid impervious metal substrate comprising a steel surface having disposed thereon an acid impervious coating comprising a polyamide particulate and a cured powder adhesive wherein the polyamide particulate is inherently "temperature resistant" up to about 700°F and wherein the adhesive is curable at a temperature below about 650°F (Abstract; Col. 5, lines 30-47; Claim 4.)

12. Claims 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Perraud et al (USPN 5,830,975.) Perraud et al teach an acid impervious metal substrate comprising a steel surface having disposed thereon an acid impervious coating comprising a polyamide particulate and a cured powder adhesive wherein the polyamide particulate is inherently "temperature resistant" up to about 700°F and the adhesive is curable at a temperature below about 650°F (Abstract; Col. 1, line 43 - Col. 2, line 67; Col. 4, lines 53-56.)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 703-308-0428.

The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J Thibodeau can be reached on 703-308-2367. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-5436 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



mrj
December 17, 2000



Paul Thibodeau
Supervisory Patent Examiner
Technology Center 1700